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January 9, 1995

Carol Graszer Ropski
U.S. EPA
Emergency Support Section (HSE-SJ)
77 West Jackson Boulevard
Chicago, IL 60604

Re: Sauget Area 1, Site G
Illinois Route 3 and Queeny Avenue
Sauget, Illinois

Dear Madam:

Please accept this as a written response to the general notice of potential liability for the above captioned matter addressed to Moto Mart.

Your current file indicates that the property of Site G is partly owned by Moto Mart. This is incorrect. The appropriate name, address, and telephone number of this property owner is Moto, Inc.; 721 W. Main St., Belleville, IL 62222; 618/233/6754.

Moto, Inc. has owned this property for 40 years. The only use this property has ever been put to is a farm field. More recently (i.e. the last several years) the property has not been farmed and has been cut for weeds approximately two times each year.

Without limiting the use of any other defense for Moto, Inc., I submit the following:

I believe it to be fact that (per CERCLA section 107 (b)) no liability should accrue to Moto, Inc. in this matter since the release of the hazardous substance and the damages resulting therefrom were caused by an act of a third party (or parties) and that no employment or contractual relationship has ever existed between Moto, Inc. and this third party(s).

Furthermore, Moto, Inc. was prohibited from practicing due care with the hazardous substances since it was never in possession of such substances nor did it ever have knowledge that the third party(s) was in possession of the hazardous substances. Without this knowledge, Moto, Inc. could not have taken precautions against the consequences of foreseeable acts or omissions by the third party(s).

Sincerely,

A stylized, handwritten signature in ink, appearing to be a cursive representation of the name "Moto".

President
Moto, Inc.

721 West Main Street
P.O. Box 122
Belleville, IL 62222-0122
(618) 233-6754

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